

Exhibit C

**(Excerpt of December 5, 2017 Response of Davis Polk to Cardwell's
Verified Complaint)**

Respondent Contact Information

Return to:
NYS Division of Human Rights
Upper Manhattan Regional Office
163 West 125th Street, Room 401
New York, New York 10027

Re: Kaloma Cardwell v. Davis Polk & Wardwell LLP
SDHR NO: 10190523

Correct legal name of Respondent: Davis Polk & Wardwell LLP

Federal Employer Identification Number (FEIN): 135023295

Contact person for this complaint:

Name: Bruce Birenboim; Susanna M. Buerger Title: _____

Street Address: Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas

City/State/Zip: New York, NY 10019-6064 Telephone No: (212) 373-3165

E-mail address: bbirenboim@paulweiss.com; sbuerger@paulweiss.com

Is the firm a publicly traded corporation, privately owned, or a d/b/a? If yes, please indicate:

☐ Publicly traded corporation ☐ Privately owned corporation ☐ d/b/a

If privately owned or d/b/a, list names and addresses of all individuals who have an ownership interest in the Respondent (attach additional sheets if necessary)

Respondent is a limited liability partnership.

Do you have an attorney for this matter: Yes ☒ No ☐ If yes:

Attorney Name: Bruce Birenboim; Susanna M. Buerger

Firm: Paul, Weiss, Rifkind, Wharton & Garrison LLP


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Will you participate in settlement/conciliation? Yes ☒ No ☐ If yes, for this purpose please contact:

Name: Bruce Birenboim; Susanna M. Buerger Telephone No: (212) 373-3165

(Settlement discussions will not delay the investigation and participation in settlement does not provide good cause for an extension of time to respond to the complaint.)



Signature

12/5/2017

Date

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December 5, 2017

By Hand Delivery

David E. Powell
Regional Director
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Adam Clayton Powell State Office Building
163 W. 125th Street, Room 401
New York, NY 10027

Kaloma Cardwell v. Davis Polk & Wardwell LLP
(SDHR Case No. 10190523)

Dear Mr. Powell:

Please accept this letter and its attachments as the confidential response¹ of Davis Polk & Wardwell LLP ("Davis Polk" or "the Firm") to the Verified Complaint and attached EEOC Charge Particulars filed by Kaloma Cardwell (together, the

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*NOT ADMITTED TO THE NEW YORK BAR

¹ The Firm requests that all of its submissions, including, without limitation, this response, all Firm documents or excerpts thereof (including personnel files and performance reviews), and the identities of any individuals mentioned in this or any submission, be treated as confidential and not disclosed to the public at any time, including in response to a FOIA or FOIL request. The Firm makes this request to protect the privacy interests of the individuals mentioned in this submission or any Firm documents, and the Firm's interest in confidential and proprietary commercial and financial information. See, e.g., 5 U.S.C. § 552(b)(4) (FOIA Exemption 4). See also, e.g., N.Y. PUB. OFF. L. Art. 6 §§ 87(2)(d), 89(2). Should any Firm submissions or documents be the subject of a FOIA or FOIL request for access, the Firm requests notice prior to disclosure, by letter and by telephone, to the attention of the undersigned counsel.

EXHIBIT 11

Associate: Cardwell, Kaloma Reviewer: Chudd, William J. Review Date: December 22, 2015
1. Review Type: Annual Review
2. Principal matters worked on by the reviewee which were considered in the evaluation: 1. [REDACTED] - 188.7 hours 2. [REDACTED] - 172.5 hours 3. [REDACTED] - 166.1 hours 4. [REDACTED] - 164.0 hours 5. [REDACTED] - 148.7 hours 6. [REDACTED] - 122.6 hours 7. [REDACTED] - 120.9 hours 8. [REDACTED] - 99.1 hours 9. [REDACTED] - 97.1 hours 10. [REDACTED] - 89.4 hours 11. [REDACTED] - 89.3 hours 12. [REDACTED] - 73.4 hours 13. [REDACTED] - 67.7 hours 14. [REDACTED] - 66.1 hours [September 2014 - September 2015]
3. Comments received from: John Amorosi, Bill Chudd, Zain Rehman and Laura Turano.
4. Substance of evaluation (including reviewee's performance compared to expectations for a lawyer of the same seniority, strengths and weaknesses in the reviewee's performance in the last 12 months, improvements, if any, from prior year's review, etc.): Kaloma received praise for being engaged and eager, he is hard working and always willing to help. Reviewers also noted that he could be more responsive on email communication, and improve his communication with senior lawyers regarding task deadlines and timing of deliverables. He also seemed to overlook more basic tasks in favor of more substantive work, often at the detriment of being able to deliver on the more basic tasks.
5. Did the reviewee receive a commendation for his/her pro bono work or recruiting efforts? Yes, he went above and beyond in regarding to recruiting and the summer program.

performance.

Kaloma asked for more direct real-time performance evaluations. I told him that the best way to do this was to seek input from the more senior lawyers on his team after a signing/closing when it is still fresh in his mind. To get constructive feedback, I suggested that he should ask for areas where he could improve. He was also concerned about his billable hours compared to others, as well as his standing in his class.

7. Developmental priorities for the next year (including types of matters, level of responsibility, training, etc.)

Kaloma needs to focus on delivering excellent work product on time and communicate his deadlines and timing. Once he does this, senior lawyers will feel more comfortable delegating more work to him.

Submitted on: 12/22/2015, 10:47 AM